



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT # 2  
Docket: 17259(AP)

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RE: Application of: Dolly, et al. )  
Serial No. 09/294,980 ) Group: 1632  
Conf. No. 6681 )  
Filed: April 19, 1999 ) Examiner: Falk, Anne Marie  
Title: COMPOSITIONS AND )  
METHODS FOR MODULATING )  
NEURAL SPROUTING )

REPLY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Notice of Non-Compliant Amendment (37 CFR 1.121) date mailed December 2, 2002,  
Applicants have the following comments.

Enclosed is a copy of our amendment that was mailed on August 16, 2002 which included a marked version  
of the claims on page 10 of our reply. We are also including a copy of the stamped return postcard which we  
received back from the USPTO.

Respectfully Submitted,

Date: 12/11/02

Signature: Carlos A. Fisher

Carlos A. Fisher  
Registration No. 36,510  
**ALLERGAN, INC.**  
Legal Department, T2-7H  
2525 Dupont Drive  
Irvine, CA 92623-9534  
Telephone: (714) 246-4920  
Fax: (714) 246-4249

CERTIFICATE OF MAILING

I Hereby Certify That This Correspondence Is, On The Date Shown Below, Being Deposited With The United States Postal  
Service With Sufficient Postage As First Class Mail In An Envelope Addressed To: Box Non-Fee Amendment, Assistant  
Commissioner For Patents, Washington, D.C. 20231

Signed: Bonnie Ferguson

Date: 12/11/2002

Name: Bonnie Ferguson

Date of Signature: 12/11/2002



COPY

Box RCE

Rec'd in USPTO/PCT Office. Date Stamp and Return Card.

Date: 8/16/02

Serial No.: 09/294, 980

Title: COMPOSITIONS AND METHODS FOR MODULATING...

Dkt. No.: 17259(AP)

Enclosed Are:

- |  |   |
|--|---|
| <input type="checkbox"/> Specification # _____, Claims # _____, and Abstract # _____ | <input type="checkbox"/> Declaration, Power of Attorney           |
| <input type="checkbox"/> Drawings (_____ sheets)<br>_____ Formal _____ Informal      | <input type="checkbox"/> Assignment & Cover Sheet                 |
| <input type="checkbox"/> Info. Disc. Statement                                       | <input checked="" type="checkbox"/> Amendment (Final) (# pgs. 10) |
| <input type="checkbox"/> Priority Documents # _____                                  | <input checked="" type="checkbox"/> Certificate of Mailing        |
| <input type="checkbox"/> PTO 1449 W/References                                       | <input type="checkbox"/> Issue Fee Transmittal                    |
| <input type="checkbox"/> PCT Request (# pgs. _____)                                  | <input checked="" type="checkbox"/> Transmittal Letter (RCE)      |
| <input type="checkbox"/> PCT Demand (# pgs. _____)                                   | <input checked="" type="checkbox"/> Extension of Time - one month |
| <input type="checkbox"/> PCT Response (# pgs. _____)                                 | <input type="checkbox"/> Express Mail No. _____                   |
| <input type="checkbox"/> PCT Amendment (# pgs. _____)                                | <input checked="" type="checkbox"/> AMENDMENT TRANSMITTAL         |

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Date: 8/16/02

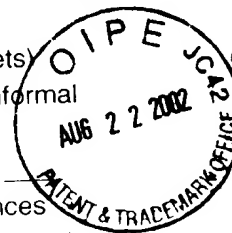
Serial No.: 09/294, 980

Title: COMPOSITIONS AND METHODS FOR MODULATING...

Dkt. No.: 17259(AP)

Enclosed Are:

- |  |   |
|--|---|
| <input type="checkbox"/> Specification # _____, Claims # _____, and Abstract # _____ | <input type="checkbox"/> Declaration, Power of Attorney           |
| <input type="checkbox"/> Drawings (_____ sheets)<br>_____ Formal _____ Informal      | <input type="checkbox"/> Assignment & Cover Sheet                 |
| <input type="checkbox"/> Info. Disc. Statement                                       | <input checked="" type="checkbox"/> Amendment (Final) (# pgs. 10) |
| <input type="checkbox"/> Priority Documents # _____                                  | <input checked="" type="checkbox"/> Certificate of Mailing        |
| <input type="checkbox"/> PTO 1449 W/References                                       | <input type="checkbox"/> Issue Fee Transmittal                    |
| <input type="checkbox"/> PCT Request (# pgs. _____)                                  | <input checked="" type="checkbox"/> Transmittal Letter (RCE)      |
| <input type="checkbox"/> PCT Demand (# pgs. _____)                                   | <input checked="" type="checkbox"/> Extension of Time - one month |
| <input type="checkbox"/> PCT Response (# pgs. _____)                                 | <input type="checkbox"/> Express Mail No. _____                   |
| <input type="checkbox"/> PCT Amendment (# pgs. _____)                                | <input checked="" type="checkbox"/> AMENDMENT TRANSMITTAL         |





PATENT  
Docket: 17259(AP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE: Application of: Dolly, et al. )

Serial No. 09/294,980 )

Conf. No. 6682 )

Filed: April 19, 1999 )

Title: COMPOSITIONS AND )  
METHODS FOR MODULATING )  
NEURAL SPROUTING )

Group: 1632

Examiner: Baker, A..

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Commissioner of Patents  
Washington, D.C. 20231

REPLY AND AMENDMENT

Transmitted herewith is an Amendment in the above-identified application.

Enclosed are:

- 1) Reply and Amendment (10 pgs.)
- 2) Transmittal Letter
- 3) Return/Stamped Postcard

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Box Amendment-Fee, Assistant Commissioner for Patents, Washington, D.C. 20231 on

8/16/2002  
(Date of Deposit)

8/16/2002  
Date of Signature

Name of person mailing correspondence:

BONNIE FERGUSON

Signature

Bonnie Ferguson

The fee has been calculated as shown below:

**CLAIMS AS FILED**

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims	8	MINUS	23	= 0 ×	\$18	= \$0.00
Independent Claims	1	MINUS	3	= 0 ×	\$84	= \$0.00
If application has been amended to contain multiple dependent claim(s), then add				No	\$280	= \$0.00
(Select only one)				one month	\$110	= \$110.00
Time Extension Fees:				two months	\$400	= \$*
				three months	\$920	= \$*
				four months	\$1,440	= \$*
				TOTAL ADDITIONAL FEE FOR THIS AMENDMENT		\$110.00

- ( ) A check in the amount of \$\* is enclosed (place fee in here i.e., petition, excess claims, etc.)
- ( x ) The Commissioner is hereby authorized to charge fees under 37 CFR 1.16 and 1.17 (associated with petition fees or excess claim fees) which may be required, or credit any overpayment to Deposit Account No. 01-0885. A duplicate copy of this sheet is enclosed.

Respectfully Submitted,

Date: 8/16/02

Signature: Carlos A. Fisher

Carlos A. Fisher  
Registration No. 36,510  
Legal Department, T2-7H  
ALLERGAN, INC.  
2525 Dupont Drive  
Irvine, CA 92612  
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O I P E J C R A J U I L I  
DEC 17 2002  
U.S. PATENT AND TRADEMARK OFFICE

PTO/SB/30 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Commissioner for Patents  
Box RCE  
Washington, DC 20231

Application Number	09/294,980
Filing Date	April 19, 1999
First Named Inventor	Dolly
Art Unit	1632
Examiner Name	Baker
Attorney Docket Number	17259 (AP)

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

## 1. Submission required under 37 CFR 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☐ Other \_\_\_\_\_

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## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 01-0885
- i. ☒ RCE fee required under 37 CFR 1.17(e)
- ii. ☒ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Carlos A. Fisher	Registration No. (Attorney/Agent)	36,510
Signature	<i>Carlos A. Fisher</i>	Date	August 16, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	BONNIE FERGUSON	Date	8/16/2002
Signature	<i>Bonnie Ferguson</i>		

Burden Hour Statement. This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Assistant Commissioner for Patents, Box RCE, Washington, DC 20231.



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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231  
www.uspto.gov

APPLICATION NO	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO	CONFIRMATION NO.
09-294,980	04-19-1999	J. OLIVER DOLLY	17259(AP)	6681

7590

12-02-2002

CARLOS A FISHER  
ALLERGAN INC  
2525 DUPONT DRIVE  
IRVINE, CA 92612

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EXAMINER

FALK, ANNE MARIE

ART UNIT

PAPER NUMBER

1632

DATE MAILED: 12/02/2002

*2*  
**COPY**

Please find below and/or attached an Office communication concerning this application or proceeding.

RESPONSE DUE *Jan. 2, 2003*  
ACTION *Marked up Version*  
*of Amended*  
*Claims*



DEC 17 2002

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER NUMBER
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DATE MAILED:

### Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment filed on 8/22/02 is considered non-compliant because it has not been submitted in the format required under 37 CFR 1.121, as amended on September 8, 2000 (see 65 Fed. Reg. 54603, Sept. 8, 2000, and 1238 O.G. 77, Sept. 19, 2000).

- ☐ 1. The amendment does not include a clean version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(ii).
- ☐ 2. The amendment does not include a marked-up version of the replacement paragraph(s)/section(s). 37 CFR 1.121(b)(1)(iii).
- ☐ 3. The amendment does not include a clean version of the amended claim(s). 37 CFR 1.121(c)(1)(i).
- ☒ 4. The amendment does not include a marked-up version of the amended claim(s). 37 CFR 1.121(c)(1)(ii).
- ☐ 5. Other \_\_\_\_\_
- ☐ **PRELIMINARY AMENDMENT:** Unless applicant re-submits the preliminary amendment in compliance with revised 37 CFR 1.121 within ONE MONTH of the mail date of this letter, examination on the merits may commence without entry of the originally proposed preliminary amendment. This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.
- ☒ **AMENDMENT AFTER NON-FINAL ACTION:** Since the above mentioned reply appears to be *bona fide*, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

For your convenience, attached to this correspondence is a copy of an informational flyer (MPEP Bookmark Bulletin on "Simplified Amendment Practice").

Legal Instruments Examiner

Anne-Marie Falk  
ANNE-MARIE BAKER  
PATENT EXAMINER